



MANISTEE COUNTY RECREATION COMMISSION

Tuesday, October 4, 2022
6:15 P.M.

Manistee County Courthouse & Government Center
Board of Commissioners Meeting Room and via Zoom

MINUTES

Members Present: Margaret Batzer; Erin Secord; Linda Cudney; Eleanor DeYoung; Devin Wagner; Gary Schwaiger; Bryan Dunlop

Members Absent: Chair Wayne Beldo, Robert Schulke

Others Present: Kristyn Malkowski, Recording Secretary; Mike Szokola, Manistee County Planning Director; Bill Kennis, Grant Administrator; Jacque Erdman, Friends of Smart Trails Treasurer (Via Zoom)

Ms. Batzer called the meeting to order at 6:18 PM, roll call was taken.

Approval of the October 4, 2022, meeting agenda.

There was a motion by Mr. Dunlop, supported by Ms. Secord, to approve the October 4, 2022, agenda.
All in favor, motion carried.

Approval of the September 13, 2022, meeting agenda.

There was a motion by Ms. Cudney, supported by Mr. Dunlop, to approve the September 13, 2022, agenda.
All in favor, motion carried.

No public comment.

Trail Champions: Nothing reported

Staff Reports. Mr. Szokola brought to the board the Trail Status Update and Construction goals Map that was previously created by Rob Carson. The map shows the trail connection between Orchard Beach State Park and Interlochen State Park. Mr. Szokola brought attention to the Commission that there should be a Road Commission member that is supposed to sit on the Recreation Commission. The Recreation Commission and Mr. Szokola will look further into this matter. Mr. Szokola and City Manager Bill Gambill discussed the Complete Streets Resolution. The City acknowledged that they do have the Complete Streets Resolution in place and will begin to enforce.

Friends of Smart Trails Report: Next meeting will be on October 10, 6:00 PM at the Maple Grove Community Center. Marketing committee met, all the hats and shirts have been received. The group is working on presentations for community awareness and working on a newsletter that will go out in November. Ms. Cudney requested a presentation/letter from the Planning Commission, the deadline is October 31, 2022. Last month, Smart Trails and the Planning Commission wrote recommendation letters to the Village of Kaleva regarding the gate installation (Attached). The group and the Recreation Commission wanted to reiterate the partnership between the Smart Trails Group and the Recreation Commission. Smart Trails has certain grant opportunities, and the Commission has certain grants opportunities which is why they must work together. The Commission makes the plans and puts them in motion, along with applying for grants. Friends group would be the boots on the ground, works with the community and maintains the work that has been completed.

Old Business:

EDA Grant Update: EDA Grant has been received. Ms. Cudney stated the Smart Trails Group will begin presenting the grant information to the public.

Rail Relocation Update: The planning grant was due today, but a week's extension was given nationwide, which brings the deadline to October 11, 2022. Mr. Kennis stated that Mr. Dontz and other leaders took the Rail Association President, along with other members for a tour to get an understanding of what the envision is for the railroad relocation project. Letters of support has been coming in, hoping to see letters from CSX and the Marquette Railway soon.

Parks & Recreation Manager Grant Update: Mr. Szokola gave an update on the Recreation Manager position. There are two (2) sources of funding they are looking into: the Minger fund grant for recreation and a limitless fund grant for everything else. Hoping to see funding sometime in June and hoping to hire for the Recreation Manager position sometime in July 2023.

New Business: Mr. Kennis stated that there is another grant opportunity called the Sparks Grant coming soon. He suggested that the Recreation Commission get together by mid December 2022, to prioritize the projects that are laid out in the Recreation Plan. This will help collaborate a plan between the Grant Administrator, Mr. Kennis; the existing plans and future goals of the Friends of Smart Group and the Recreation Commission, to find possible funding. Ms. Batzer would like to use the November Recreation Meeting to prioritize these projects. Ms. Erdman strongly suggests that the Recreation Commission attend the Friends Group meeting to understand the projects that are already in place, or what they are currently working on.

Other Items from Committee Members: Ms. Batzer wanted to make the Commission aware that Consumers Energy is having a series of meetings this week about the possibility of dam removal for Tippy or Hodenpyle Dams. She suggested that if any member can attend, they should do so. Mr. Schwaiger had questions regarding E-Bikes. He suggested that Class 1 E-Bikes should be allowed on completed, hard surface trails and roads, not on dirt trails (Material Attached). TART is setting a good example and the Commission should look to follow. The County Board of Commissioners approved the ARPA request change from funding the feasibility study, to funding the Recreation Manager position. A signature has been requested on the Project Support Grant Agreement form. With Mr. Beldo being absent, a motion is needed to have another member sign in his place. The Commission requested that Ms. Batzer sign the Project Support Grant Agreement form.

There was a motion by Ms. Secord and supported by Mr. Schwaiger, to allow Ms. Batzer to sign the Project Support Grant Agreement form, in place of Mr. Beldo.

All in favor


Motion Carries

Ms. Batzer adjourned the meeting at 7:15 PM. Next meeting will be changed from Monday November 7, 2022, at 6:00 PM, to 6:15 PM, Ms. Batzer requested that all meetings change to 6:15 for the remaining of 2022.

Respectfully submitted,



Erin Secord, Recreation Commission Secretary



Date



Friends of SMARTrails
Village of Kaleva former Elementary School
9208 Kauko Street
Kaleva, MI 49645
Monday, October 10, 2022
6:00 PM

AGENDA

I. Call to Order

1. Roll Call

II. Consent Agenda

1. Approval of September 12, 2022 Board Meeting Minutes
2. Treasurers Report and payment of bills.

III. New Business

1. New County Grant Writer William Kennis
2. Fall newsletter content
3. Trail Summit Planning
4. Combine Marketing and Fundraising committees (short term)
5. Future signage on trails

IV. Old Business

1. Update of Website
2. EDA Update
3. Volunteer T-shirts & hats
- 4.

V. Other Business

1. Recreation Commission Update
2. Marketing Committee update
3. Fund Raising update.
- 4.

VI. Board Members Comments/Correspondence

1. Letter to Village of Kaleva for gates

VII. Adjourn

VIII. Next meeting date: Monday, November 14, 2022 ????

matching funds grant from the MCCF. Then introduced Sara Herberger, who is working with the Minger Fund at the Manistee County Community Foundation. She reminded all that large grants are due by October 17, 2022 and grants under \$5,000.00 can be submitted any time.

4. Volunteer Shirts & Hats.

Linda picked up the volunteer shirts today and showed them to all. It was decided the shirts were approximately \$16.00 apiece with set up and printing of SMARTrails on the front and volunteer on the back (in tri color). It was also decided that the hats will have the SMARTrails logo on the front and SMARTrails spelled out on the back. Hats will be ready next week and cost for the hat and set up will be approximately \$16.00 each too for volunteers.

IV. Old Business.

1. Update of Website. Zach is working on the social media. He would like to do a fall digital newsletter to send out and possibly do a quarterly newsletter. He invites all of us to send pictures. He will send out to all the contacts he has.

2. EDA Grant. Rob reported the EDA grant was formally awarded. Rob is working on grant award paperwork and will be meeting with Scott Slavin, from the DNR and the EDA contact to move forward with the process. More to follow.

3. Festival Updates.

Jacque and Dave commented on The Manistee County Fair. It was a little disappointing, but had a good response from people who stopped. The Rusty Fish 100 is coming up on October 8, 2022 and we should have a SMARTrails table set up at Manistee National, where it will start and end. It will begin at 8:00 AM and ride to Iron Fish in Springdale Township and back to Manistee National. This will be the last one of the year. More rack cards, booklets, snowmobile maps and trail guides should be on hand along with the banner and map.

V. Other Business

1. Recreation Commission Update.

Meeting will be tomorrow night, September 13, 2022

2. Marketing Committee Update.

T-shirts are done and hats to come next week. Next marketing committee to meet Tuesday, October 27, 2022 at 6:00 PM at the Cleon Township Hall.

3. Fund Raising Update.

Will discuss meeting same night as Marketing Committee meeting.

VI. Board Member Comments/Correspondence.

1. Mark Coe is going to contact the Manistee County Visitors Bureau.

2. The Snowbirds will be seeking a grant for possibly purchasing a tractor with a brush arm segment for the trails.

3. A staging area should be added close to the Chief Road section of the trail.

4. It was discussed that the crushed limestone was a much better biking surface than the 22 A gravel for bikes on the trails.

5. There was an article in the newspaper about abandoning the railroad corridor in Manistee. This is something to keep in mind.

6. Mark Coe mentioned that if SMARTrails needs storage space, the Snowbirds has storage space and meeting space if needed.

7. Wayne Beldo mentioned that the Village of Kaleva needs some type of proper gates at various places in the Village where vehicles and side by sides are traveling and tearing up the trail. The intent of these trails are for hiking, biking and snowmobile use. Linda will write a



BENZIE MANISTEE SNOWBIRDS

P.O. Box 1

14121 Industrial Dr.

Kaleva, MI 49645

This club is organized for the purpose of furthering the development and perpetuation of the sport of recreational snowmobiling and trail development in Michigan, through cooperation with other groups, organizations or individuals throughout the state of Michigan.

Kaleva Village Council

PO Box 45

Kaleva, Michigan 49645

Dear Ms. Somsel, and Council

Benzie Manistee Snowbirds would like the Village to help curb unauthorized motorized access to the new trail through the village. There has been quite a bit of usage near the clubhouse and the trail is suffering damage.

One of the things we have to be sure of, to keep our trails from damage, is to properly gate and sign the trails. We have to keep off road vehicles off the surface by gating at road crossings. We are concerned because of damage we are noticing from off road vehicles on your part of the trail. We want to suggest that gates be placed at Healy Lake Road north of Kaleva, 2 gates at industrial park road near BARC, 2 gates at the industrial drive west of the Kaleva Village Park and one gate at 9 mile road.

The gates can be opened for snowmobile traffic when appropriate. The Snowbirds are willing to help with this. We open gates for the December 1st through March 31st, Michigan's snowmobile trail systems open season. We partner with DNR, The Smart Trails Group, Manistee County Recreation and The Manistee County Community Foundation and Townships and Villages, like yours.

We also think you can apply for funding to cover the gates costs with the community community foundation, thank you for the Village Support of our trail systems

Sincerely, Benzie Manistee Snowbirds Board

President; Mark Coe



Friends of SMARTrails

Village of Kaleva
PO Box 45
Kaleva, MI 49645

To the Village of Kaleva Board:

On behalf of the Friends of SMARTrails, please accept this letter to consider putting some type of proper gates at the following places in the Village of Kaleva.

Where the trail intersects with Healy Lake Road, just north of Kaleva
2 gates at Industrial Park Road near Bay Area Recycling
2 gates at Nine Mile Road and Industrial Park Road west of the Village Park

There are regular vehicles and off road vehicles that are using the trails and tearing up the trails meant for hiking, biking and snowmobiles in the winter. The trail is a vital link in the County trail system.

It is our concern that not only are they tearing up the trails, but there is also a safety issue with them using the trails and we would not want to jeopardize any future funding for the trail system.

The Manistee County Community Foundation may be a source of funding for these gates.

Again, please consider adding these gates.

Sincerely,

Linda Cudney, Secretary
Friends of SMARTrails



An electric bicycle (or e-bike) is a bicycle that has a small rechargeable electric motor that can give a boost to the pedaling rider or can take over pedaling completely. To qualify as an e- bike in Michigan, the bike must meet the following requirements:

- It must have a seat or saddle for the rider to sit.
- There must be fully operational pedals.
- It must have an electric motor of no more than 750 watts (or 1 horsepower).

Whether you can ride an e-bicycle on a trail depends on several factors, including the e-bike's class, the type of trail and whether the authority that manages or oversees the trail allows the use. To learn more, [read the full legislation](#) or review the provided summary.

E-bike classes

E-bikes are separated into three classes based on several attributes of the bike. ALL e-bikes are required to have a visible label indicating the class type. After sale, it's illegal for the classification label to be altered or tampered with in any way.

Class 1

An e-bike equipped with an electric motor that **provides assistance only when the rider is pedaling** and disengages or **ceases to function when the bike reaches a speed of 20 miles per hour**.

Class 2

An e-bike equipped with a motor that propels the bike, **whether the rider is pedaling or not**, to a speed of **no more than 20 miles per hour**, and disengages or **ceases to function when the brakes are applied or throttle is released**.

Class 3

An e-bike equipped with a motor that **provides assistance only when the rider is pedaling** and disengages or **ceases to function when the bike reaches a speed of 28 miles per hour**.

What's required for each class

	Class 1	Class 2	Class 3
Minimum age to operate	None	None	14
Rider required to wear helmet	No	No	Yes if ages 14-18
Rider must pedal for motor to engage	Yes	No	Yes
Maximum speed for motor assist	20	20	28

Where you can ride different classes of e-bikes

	Class 1	Class 2	Class 3
Allowed on roads and bike lanes	Yes	Yes	Yes
Allowed on linear paved trails	Yes, but can be regulated	No, but can be authorized	No, but can be authorized
Allowed on nonmotorized, natural surface trails (such as mountain bike trails)	No, but can be authorized	No, but can be authorized	No, but can be authorized
Allowed on motorized, natural surface trails (such as ORV trails)	Yes	Yes	Yes

City, county and state roads

You can ride all three classes of e-bikes on all roads where a non-electric bicycle can be ridden. Additionally, you may operate an e-bike on any part of a highway

that is open to a bicycle, including, but not limited to, a lane designated for the exclusive use of bicycles on the shoulder.

Michigan's linear and rail trails

Class 1 e-bikes

You may operate a class 1 e-bike on a rail trail (or linear trail) that has an asphalt or crushed limestone (or similar) surface unless otherwise prohibited. A local authority or agency of the state who has jurisdiction may regulate or prohibit the operation of class 1 e-bikes on that trail.

Examples of linear trails where you can ride a class 1 e-bike include:

- [Polly Ann State Rail Trail](#)
- [Musketawa Trail](#)
- [Fred Meijer White Pine Trail State Park](#)
- [North Central State Trail](#)
- [Iron Ore Heritage Trail](#)
- [William Field Memorial Hart-Montague Trail State Park](#)

Class 2 and 3 e-bikes

You may NOT operate a class 2 or class 3 e-bike on a linear trail or a rail trail unless authorized by the local authority or agency of the state having jurisdiction over the trail.

Michigan's natural surface trails

Class 1, 2 and 3 e-bikes

Natural surface trails are trails designated as nonmotorized. Many hiking and mountain biking trails fall into this category. **No e-bikes are permitted on these trails unless the authority having jurisdiction over the trail has authorized this use.**

Class 1

You can ride all three classes of e-bike on any roads where a non-electric bicycle can be ridden. An individual may operate an e-bike on any part of a highway that is open to a bicycle, including, but not limited to, a lane designated for the exclusive use of bicycles on the shoulder.



E-Bikes in Michigan

Copyright State of Michigan

TART Trails, Inc. Mission

Enriching the Traverse region by providing a network of trails, bikeways and pedestrian ways; and encouraging their use.

Core Values

We believe in...

- Outdoor recreation – Get outside and exercise. Experience wildlife, enjoy the natural environment, breathe fresh air and have fun.
- Making connections – To nature, to work, to school, to people, to places, to ourselves- now and forever.
- Sustainable transportation – Empower individuals and decision makers to make choices that benefit personal and community economics and the environment.
- Equitable access – Always open and safe for everyone.
- Improving health – Active transportation and outdoor recreation improves community health and personal well-being.

Long-Term Vision

Happy, active people enjoying a world-class trail system. The whole region will be connected by world-class trails, bikeways, and pedestrian-friendly streets linking people to the beauty of the Traverse area year round. Platinum Bicycle-Friendly, the Traverse area will be known for its natural surroundings, active, healthy outdoor lifestyles, and vibrant town centers where everyone has sustainable transportation options. We will be a world-renowned outdoor recreation and four-season destination.

Electric Assist Bicycle Policy

TART Trails, Inc. recognizes electric assist bicycles as a compatible means to enjoying and utilizing multi-use trails. It is our position that electric assist bicycles requiring active pedaling have equal access to appropriate multi-use trails as they align with TART Trails' Mission, Core Values, and Long-Term Vision.

TART Trails recognizes electric assist bicycles are suitable for use on multi-use trails given the following conditions:

1. Active pedaling of electric assist bicycle is required (Class I and III bicycles as defined by Public Acts 138, 139 and 140)
2. Similar to all other trail uses, control, courtesy and caution are practiced at all times
3. Stops signs and trail rules are followed at all times
4. The electric assist bicycle class must be compatible with trail

surface type and design (i.e., improved surface types including asphalt and crushed limestone vs. unimproved dirt/natural surfaces where design is incompatible).

To support safe, comfortable and quality trail user experiences for all trail visitors, TART will continue to work with our Safety, Operations, and Maintenance Committee to improve trail experiences and safety, including paving and trail surface improvements, speed limits, signage, etc.

May 2018



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Lansing MI 48909
Phone: 517-485-6022
Fax: 517-347-8145
www.michigantrails.org



1687 M 119
Petoskey, MI 49770
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Michigan's Electric Bicycle Legislation

Questions and Answers

November 2, 2017

On October 30, 2017, Governor Snyder signed into law HB 4781, 4782 and 4783. These bills, now Public Acts 138, 139 and 140, authorize the use of "electric bicycles" in Michigan subject to the limitations within them. This is a summary of the law presented in a Question and Answer format. The summary was prepared by Jim Conboy and Bob Wilson. Jim serves on the boards of both the Top of Michigan Trails Council (TOMTC) and Michigan Trails & Greenways Alliance (MTGA). Bob Wilson is Executive Director of MTGA. Jim and Bob appreciate the review of the text undertaken by Luther Kurtz, President of TOMTC, and Jeff Winegard, Executive Director of TOMTC. This document does not constitute legal advice. If you need legal advice regarding the electric bicycle law please consult an attorney.

Question 1: When do the Acts take effect?

Answer: 90 days from October 30 which is January 28, 2018.

Question 2: What is an "electric bicycle"?

Answer: "Electric bicycle" means a device upon which an individual may ride and that is equipped with all of the following:

- A seat or saddle for use by the rider.
- Fully operable pedals for human propulsion.
- An electric motor of not greater than 750 watts (1h.p).

Question 3: What are the classes of electric bicycles?

Answer:

"Class 1 electric bicycle" means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.

“Class 2 electric bicycle” means an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

“Class 3 electric bicycle” means an electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 28 miles per hour.

Question 4: How will I be able to tell if an electric bicycle is a class 1, 2 or 3?

Answer: Beginning on January 1, 2018, a manufacturer or distributor of electric bicycles offered for sale or distribution in Michigan must permanently affix in a prominent location on the electric bicycle a label that contains the classification number, top assisted speed, and motor wattage of the electric bicycle.

Question 5: Besides placement of a label are there any other requirements for what must be on an electric bicycle?

Answer: An electric bicycle must comply with applicable equipment and manufacturing requirements for electric bicycles established under federal law, including standards adopted by the United States Consumer Product Safety Commission and compiled in 16 CFR part 1512. At this time these federal requirements are not unique to electric bicycles. Thus, if an electric bicycle meets the standards for non-electric bicycles that is all that is required under federal law.

Question 6: Are electric bicycles subject to all the same legal requirements applicable to non-electric bicycles?

Answer: Yes, when riding an electric bicycle you must observe all the safety requirements applicable to non-electric bicycles including riding with traffic, using hand signals for turns and stops, stopping at stop signs, and the use of lights at night.

Question 7: Can I ride electric bicycles on city, county, and state roads?

Answer: Yes you can ride electric bicycles on any roads where a non-electric bicycle can be ridden including designated bicycle lanes. There is an exception to this rule for Mackinac Island, no electric bicycles are allowed to be operated on the Island. However, the law allows for electric bicycles on the Island if a permit is provided by the Mackinac Island State Park or if the City of Mackinac Island adopts a resolution allowing for electric bicycles.

Question 8: Can anyone ride electric bicycles?

Answer: Anyone can ride a class 1 or class 2 electric bicycle, subject to the provisions of the law. However, a class 3 electric bicycle shall not be operated by an individual less than 14 years of age. An individual less than 14 years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

Question 9: Must I wear a helmet when riding an electric bicycle?

Answer: It is always advisable to wear a helmet anytime you are riding a bicycle, however there is no helmet requirement in Michigan when riding any type of bicycle except for a class 3 electric bicycle. An individual less than 18 years of age who operates or rides as a passenger on a class 3 electric bicycle must wear a properly fitted and fastened bicycle helmet.

Question 10: Can I ride an electric bicycle on a trail?

Answer: The answer depends on several factors — the class of the electric bicycle, the type of trail, and whether the authority that has jurisdiction over the trail permits the use of electric bicycles. “Authority” includes any state or local governmental entity having jurisdiction over a trail. This includes the Department of Natural Resources, counties, villages, townships and cities. The law defines two types of trails:

Natural surface trails are trails designated as non-motorized and have a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials such as asphalt, crushed lime stone, or similar material. No electric bicycles are permitted on these trails unless the authority having jurisdiction over the trail has authorized electric bicycles i.e., “opted in”.

Linear trails are trails that have an asphalt, crushed limestone, or similar surface. Class 1 electric bicycles may be operated on these trails as soon as the law goes into effect. Authorities having jurisdictions over these trails can “opt out” i.e. prohibit class 1 electric bicycles on these trails. Examples of “linear trails” include the North Central State Trail, the North Eastern State Trail, the North Western State Trail, the Little Traverse Wheelway, and the Huron Sunrise Trail. Class 2 and 3 electric bicycles cannot be operated on these trails unless the authority having jurisdiction over the trail “opts in” i.e. permits them on the trail.

Rail Trails: The law also authorizes Class 1 electric bicycles on “rail trails” unless the trail’s authority “opts out”. Class 2 and 3 electric bicycles are not permitted on “rail trails” unless the trail’s authority “opts in”.

Question 11: If an authority who has jurisdiction over a trail wishes to change the rule regarding whether electric bicycles can or cannot operate on a trail, what must it do?

Answer: Before an authority may change the status of electric bicycles on trails within its jurisdiction as prescribed by the new law it must hold a public hearing. Subsequent to a hearing an authority can expand or restrict usage and also set conditions for use of electric bicycles on a trail. It is expected the DNR and other authorities will be considering changes and restrictions on usage of various trails in the future.

Question 12: Does the new Michigan electric bicycle law apply to a federal congressionally authorized public trail?

Answer: No, the federal government regulates those trails within Michigan

Question 13: How do the Americans With Disabilities Act and similar acts protecting the disabled fit within this new Michigan law?

Answer :The State or local authority which has jurisdiction over a trail must comply with the Americans With Disabilities Act of 1990, Public Law 101-336, and the Persons With Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101 to 37.1607.

Question 14: I already own an electric bike. How will the new law affect me?

Answer: There is no requirement you obtain a label to put on your bike. However, if after market labels become available (ask your dealer) it would be a good idea to get one applicable to your electric bike. Your electric bike will be subject to the restrictions on its use on roads and trails in Michigan. For example, if you have a class 2 electric bike it will not be permitted on a linear trail unless the authority having jurisdiction over a linear trail "opts in" to permit class 2 electric bikes on its trail. If you presently own a class 1 electric bicycle, it will be permitted on a linear trail as of January 28, 2018.

Question 15:I have an electric bike that has a throttle on it. Does it come within the new electric bicycle law?

Answer: Yes. It would be a class 2 electric bike assuming it cannot exceed 20mph when engaged and it disengages the motor when brakes are applied.

Question 16: What is the penalty for violating the new electric bicycle law?

Answer: It depends on the authority who has jurisdiction over the road or trail where the violation occurred. Typically it will be a civil infraction resulting in fines, which in the case of a DNR trail can be as much as \$500.